



7/2/03

## MESSAGES FROM THE HOUSE

### **SB 37 (JACOBS)**

This bill would modify the definition endowment care to include keeping the cemetery property in presentable condition at all times. This would include the removal of trees and shrubs. The bill would also require the cemetery commissioner to mandate that each cemetery maintain an irrevocable endowment care fund.

- The Senate concurred with the House changes to SB 37 [RC 326: 36 yes, 0 no]. Immediate Effect was given to the bill.

### **SB 238 (JACOBS)**

Senate Bill 238 allows a health care corporation to enter contracts with health care facilities in this state or health facilities in any other jurisdiction.

- The Senate concurred with the House changes to SB 238 [RC 327: 35 yes, 1 no (George)]. Immediate Effect was given to the bill.

### **SB 239 (George)**

Senate Bill 239 allows counties to grant or loan funds to nonprofit corporations organized for the purpose of providing loans for private sector economic development projects. There are several changes made in the House version (H-1): 1) The Senate FOIA requirement was removed. 2) The H-1 states that grants or loans can be derived from ad valorem taxes, if such funds are approved by the voters for economic development. 3) H-1 removed language which outlined the procedure and justification for the loan. The Senate version specifically required that the loan criteria be spelled out, along with the express public purpose for the funding. The House substitute removed that language and instead compels the county commission to “establish an application process.” 4) The House version also removed the requirement that reporting occur “not less than annually.”

- Basham 1 (1 amend) was defeated [RC 320: 15 yes, 21 no (GOP)]. This would require nonprofits which receive such loans to be subject to Freedom of Information Act (FOIA) provisions.
- The Senate concurred with the House changes to SB 239 [RC 321: 36 yes, 0 no]. Immediate Effect was given to the bill.

### **SB 439 (Cropsey)**

Senate Bill 439 would create the Justice System Fund, which would receive funds from the various assessments and state minimum costs established in the judicial fee increase package.

- The Senate concurred with the House changes to SB 439 [RC 329: 37 yes, 0 no]. Immediate Effect was given to the bill.

#### **SB 442 (Garcia)**

This would place the minimum state costs from HB 4732 within the Crime Victim's Rights Act order of priority of restitution payments.

- The Senate concurred with the House changes to SB 442 [RC 330: 37 yes, 0 no]. Immediate Effect was given to the bill.

#### **SB 520 (Brown)**

This is the "claim it correctly" legislation, relative to people who wrongly claim two homestead exemptions. The law only allows one exemption per person. The House made minor technical changes, and provided that back taxes are not a lien on the home for subsequent purchasers. Also, the county treasurers must issue corrected tax bills within 30 days of a denial. Treasury may contract with local assessors if the county does not elect to do so. The House changes did not cause the bill to lose any support.

- The Senate concurred with the House changes to SB 520 [RC 328: 37 yes, 0 no]. Immediate Effect was given to the bill.

#### **SB 537 (Brater)**

Senate Bill 537 raises State Park entrance fees. The DNR estimates that an additional \$1.8 million will be received through the increased fees. The House added an amendment to create a \$10 permit fee for second stationary recreational vehicles.

- McManus 1 (4 amends) was withdrawn.
- McManus 2 (1 amend) was adopted [no RC]. Technical clarifying language.
- Birkholz 3 (1 amend) was ruled "out of order." [no RC]. This would require an annual report on the revenues generated by the bill.
- SB 537 was passed for the day.

#### **SB 572-73 (Leland)**

Senate Bills 572 and 573 would amend State laws governing State loans to school districts and the repayment of these loans. These proposed changes are needed to implement the Governor's proposal to generate an estimated \$100 million for the School Aid Fund by having school districts repay their outstanding loans from the School Bond Loan Fund (SBLF).

- The Senate concurred with the House changes to SB 572 [RC 323: 36 yes, 0 no]. Immediate Effect was given to the bill.
- The Senate concurred with the House changes to SB 573 [RC 324: 37 yes, 0 no]. Immediate Effect was given to the bill.

#### **SB 574 (Leland)**

The bill would allow the Department of Natural Resources to administer the Off-Road Vehicle (ORV) Safety Education Program. Currently, the Dept. of Education runs the program.

- The Senate concurred with the House changes to SB 574 [RC 325: 36 yes, 0 no]. Immediate Effect was given to the bill.

## **HB 4238 (Rivet)**

This bill would increase the current property damage amount requiring a traffic accident report from \$400 to \$1,000. House amendment changed the \$750 threshold back to the original amount of \$1,000.

- The Senate concurred with the House changes to HB 4238 [RC 322: 36 yes, 0 no].

## **THIRD READING**

### **HB 4247-48 (Van Regenmorter)**

#### **LOWER DRUNK DRIVING THRESHOLD**

Support: MADD, Prosecuting Attorney's Association of Michigan, Michigan Interfaith Council Alcohol Problems, Michigan Road Builders Association, National Interlock, and Michigan State Police all support this bill.

Oppose: Michigan Licensed Beverage Association and Responsibility in DUI Laws (RIDL).

House Bill 4247 would lower the Blood Alcohol Content (BAC) level for drunk driving from .10% to .08%. Penalties for driving with a BAC between .08% and .15% would include: 1) 30 day hard suspension, meaning no restricted license issued during this period; 2) fine of not less than \$500 or more than \$1000; 3) installation of ignition interlock device on each vehicle owned by the offender is within the court's discretion; 4) maximum of 360 hours of community service for first offense.

This bill also creates a new "high BAC" offense level of a BAC of .15% or higher with the following penalties: 1) 30 day hard suspension, meaning no restricted license issued during this period; 2) flat \$1,000 fine for first offense, second offense minimum fine of \$500, third offense minimum fine of \$1,000; 3) installation of ignition interlock device on each vehicle owned by the offender is mandatory; 4) maximum of 480 community service hours for first offense; 5) up to 93 days imprisonment.

- Committee 1 (S-1) was defeated [no RC].
- BASHAM 1A was withdrawn.
- BARCIA 1B was withdrawn.
- Cropsey 2 (S-2) was adopted [no RC].
- BARCIA 2A (7 amends) was adopted [no RC]. Sunsets the new laws in 10 years.
- HB 4247 was moved to 3<sup>rd</sup> Reading.

House Bill 4248 would amend the sentencing guidelines to make the guidelines conform with provision in HB 4247 which would lower the Blood Alcohol Content (BAC) level for drunk driving from 0.10% to 0.08%.

- Committee 1 (S-3) was defeated [no RC].
- Cropsey 1A was withdrawn.
- BARCIA 1B was withdrawn.
- Cropsey 2 (S-4) was adopted [no RC].
- Cropsey 2A (1 amend) was adopted [no RC]. Technical amendment.

- BARCIA 2B (3 amends) was adopted [no RC]. Sunsets the new laws in 10 years.
- HB 4248 was moved to 3<sup>rd</sup> Reading.

#### **HB 4502 (Caul)**

- HB 4502 was moved to 3<sup>rd</sup> Reading. No amendments.

#### **HB 4579-82 (Bipartisan)**

State law currently requires financial institutions to file copies of all transaction reports with the Department of State Police. As a result, the Department has been overwhelmed by the number of reports being received each month. However, transaction reports often do not represent illegal activities.

The bills would replace existing requirements that financial institutions file a copy of any “transaction report” to require financial institutions to file a copy of only “suspicious activity reports” (SARs). This report should be sufficient to provide the intended protection and would reduce the number of reports filed with the Department.

Support: Office of Financial and Insurance Services, Department of State Police, Michigan Bankers Association, Michigan Credit Union League.

HB 4579:

- HB 4579 was moved to 3<sup>rd</sup> Reading. No amendments.

HB 4580:

- HB 4580 was moved to 3<sup>rd</sup> Reading. No amendments.

HB 4581:

- HB 4581 was moved to 3<sup>rd</sup> Reading. No amendments.

HB 4582:

- HB 4582 was moved to 3<sup>rd</sup> Reading. No amendments.

## **RESOLUTIONS**

#### **SR 123 (Patterson)**

- SR 123 was adopted [no RC].